

Yeas—Mr. President, Messrs. Dupont, Livingston, M'Lean, and Walker—5.

Nays—Messrs. Berthelot, Cooper, English, and Pelot—4.

So the Senate adjourned.

MONDAY, January 24, 1842.

The Senate met pursuant to adjournment.

Mr. English, agreeable to previous notice, introduced a bill to be entitled "An Act to prevent the future migration of free negroes and mulattoes to this Territory, and for other purposes," which was read, laid on the table, and ordered printed.

A bill to be entitled "An Act amendatory of and supplemental to an act entitled an act to incorporate the city of Tallahassee," was again taken up, when the Senate went into committee of the whole on said bill, Mr. M'Lean in the Chair. After some time, the committee rose, and reported said bill, with all stricken out except the enacting clause.

On the adoption of the first section of said act—

SECTION 1. *Be it enacted by the Governor and Legislative Council of Florida,* That from and immediately after the passage of this law, it shall not be lawful for the Intendant and Common Council of the city of Tallahassee, or any of their agents, attorneys, or officers, to make and sign, issue, emit, circulate, lend, pass, pay, or tender in payment, any change bills; and in case said Intendant and Common Council shall contravene and violate the provisions of this section, such Intendant and Common Council-men who shall either directly or indirectly assent thereto, shall forfeit the sum of one thousand dollars, to be sued for in the name of the Territory of Florida, by the District Attorney of the Middle District of Florida, or by any private individual who may be aggrieved, and recovered in an action of debt or on the case in the County or Superior Courts of Leon county, with costs; and one half of said forfeiture, when recovered, shall be paid to the use of the Territory, and the other half to the District Attorney, or to the individual aggrieved, bringing said action.

The yeas and nays were called by Messrs. Pelot and Cooper, and were—

Yeas—Messrs. Berthelot, Cooper, English, and Pelot—4.

Nays—Mr. President, Messrs. Dupont, Edwards, Livingston, M'Lean, Walker—6.

So said motion was lost.

Whereupon Mr. Pelot moved the insertion of the following section:—

SECT. 2. *Be it further enacted*, That the said Intendant and Common Council shall no longer possess the right to assess and levy a capitation or poll tax of a larger amount than one dollar *per head*, for no purpose whatever; and that all taxes hereafter to be assessed and levied, shall be an ad valorem tax.

The yeas and nays were called by Messrs. Berthelot and English, and were—

Yeas—Messrs. Berthelot, Cooper, English, and Pelot—4.

Nays—Mr. President, Messrs. Dupont, Edwards, Livingston, M'Lean, and Walker—6.

So said motion was lost.

On motion of Mr. Dupont for an indefinite postponement of said bill, the yeas and nays were called by Messrs. Pelot and Berthelot, and were—

Yeas—Mr. President, Messrs. Dupont, Edwards, Livingston, M'Lean, and Walker—6.

Nays—Messrs. Berthelot, Cooper, English, and Pelot—4.

So the bill was indefinitely postponed.

The Senate received from the House of Representatives, as passed, an act concerning public defaulters—which was read.

The Senate went into committee of the whole, Mr. Pelot in the Chair, on a bill entitled "An Act to increase the number of Senators to fifteen." After some time, the committee rose, reported progress, and asked leave to sit again, which was granted. On motion, the Senate again went into committee of the whole, the same in the Chair. After some time, the committee rose, and asked to be discharged from the further consideration of said bill, which was granted. On

motion, said bill was referred to the committee on the state of the Territory.

The substitute of the Senate for the resolution of the House of Representatives, in relation to the Union Bank of Florida, was read the third time. On the question of its passage the yeas and nays were called by Messrs. McLean and Pelot, and were—

Yeas—Mr. President, Messrs. Berthelot, Dupont, English, Livingston, McLean, Pelot and Walker—8.

Nays—Messrs. Cooper and Edwards—2.

So the substitute was adopted.

The resolution of Mr. Cooper, in relation to the right of the Legislative Council to pledge the faith of the Territory, was again read.

Mr. Bockenbrough moved the postponement of the resolutions until to-morrow, but at the suggestion of Messrs. English and Dupont, moved that they be made the special order of the day for Friday next; on which motion Mr. Pelot moved to strike out "Friday next," and insert "the last day of the session," on which amendment the yeas and nays were called, and the amendment was withdrawn, but renewed by Mr. Brockenbrough; the yeas and nays were called by Messrs. Dupont and Brockenbrough, and were—

Yeas—none.

Nays—ten.

On motion to make said resolution the special order for Friday next, the yeas and nays were called by Messrs. Berthelot and Pelot, and were—

Yeas—Mr. President, Messrs. Dupont, Edwards, Livingston, McLean and Walker—5.

Nays—Messrs. Berthelot, Cooper, English and Pelot—4.

So the order was made.

A bill entitled "An Act to amend an act to provide for the collection of Rents, approved Nov. 21, 1828," was again read, recommitted to the committee on the Judiciary, and copies ordered.

A memorial of the Governor and Legislative Council of Florida, before adopted by the House of Representatives, was again read, and referred to the committee on the State of the Territory.

A bill to be entitled "An Act concerning Roads, Highways, and Ferries," was again read, ordered printed, and made the order of Tuesday week.

A bill to be entitled "An Act to organize and regulate the militia of the Territory of Florida, and to repeal all former acts in relation to the same," was again read, and ordered for to-morrow.

Mr. Pelot moves that the 21st, 22d, and 23d rules be rescinded so far as they relate to secret session, or closed doors, which was read.

The Senate received from his Excellency the Governor a message, which was laid on the table.

On motion, the Senate adjourned until to-morrow.

TUESDAY, January 25th, 1842.

The Senate met pursuant to adjournment.

Mr. McLean gives notice that he will on some future day introduce a bill to be entitled "An Act to amend an act to suppress the issuing or circulating of Change-bills, and for other purposes," approved Feb. 11th, 1838.

Mr. Brockenbrough offered the following resolution :

Resolved, That the Committee on Finance be instructed to report a bill requiring the payment of all taxes, fines, and other dues to the Territory, in specie, or such funds as are receivable by the receiving officers of the United States, or Auditor's warrants only. Which was read.

Mr. Brockenbrough offered the following

#### PREAMBLE AND RESOLUTIONS

*In reply to certain demands made upon the Governor and Legislative Council, for interest said to be due upon certain obligations guaranteed by the Territory of Florida.*

WHEREAS the Congress of the United States, acting by authority of the Constitution of the United States, the fourth article of which gives Congress "power to dispose of, and make all needful rules and regulations respecting the territory or other property belong-